

EXHIBIT N

1 KEKER & VAN NEST LLP
2 ROBERT A. VAN NEST - # 84065
3 rvannest@kvn.com
4 CHRISTA M. ANDERSON - # 184325
5 canderson@kvn.com
6 DANIEL PURCELL - # 191424
7 dpurcell@kvn.com
8 633 Battery Street
9 San Francisco, CA 94111-1809
10 Telephone: (415) 391-5400
Facsimile: (415) 397-7188

7 KING & SPALDING LLP
8 BRUCE W. BABER (pro hac vice)
bbaber@kslaw.com
1185 Avenue of the Americas
9 New York, NY 10036
Tel: (212) 556-2100
10 Fax: (212) 556-2222

11 Attorneys for Defendant
12 GOOGLE INC.

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

16 ORACLE AMERICA, INC.,

17 Plaintiffs,

Case No. CV 10-03561 WHA

18 v.
19 GOOGLE INC.,

Defendant.

**DEFENDANT GOOGLE INC.'S FIRST
SUPPLEMENTAL RESPONSES AND
OBJECTIONS TO PLAINTIFF ORACLE
AMERICA, INC.'S REQUESTS FOR
ADMISSION**

20 SET TWO (NOS. 245-277)

21

22

23

24

25

26

27

28

1 unreasonably cumulative or duplicative to the extent that it seeks information that is more
2 conveniently or less expensively obtained from another source or that is publicly available.
3 Google objects to this Request for Admission to the extent it purports to include software created,
4 modified, and/or distributed by third parties and not Google. Google further objects to this
5 Request for Admission to the extent that it seeks information not within Google's possession,
6 custody or control. As described further in General Objection Number 15, Google further objects
7 to this Request for Admission as premature to the extent it seeks expert testimony.

8 Subject to and without waiving the foregoing objections and the General Objections, and
9 to the extent that this request is understood, Google denies this request.

10

11 **REQUEST FOR ADMISSION NO. 254:**

12 Admit Chrome OS contains DECLARING CODE contained in the 37 JAVA API
13 PACKAGES.

14 **RESPONSE TO REQUEST FOR ADMISSION NO. 254:**

15 In addition to its General Objections, Google objects to this Request for Admission as
16 vague, ambiguous and overly broad as to the phrases "Chrome OS," "contains," "declaring code
17 contained in the 37 Java API Packages." Google objects to this Request for Admission as overly
18 broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
19 evidence to the extent it seeks information not related to any party's claims or defenses or any
20 relevant subject matter at issue. Google also objects to this Request for Admission as
21 unreasonably cumulative or duplicative to the extent that it seeks information that is more
22 conveniently or less expensively obtained from another source or that is publicly available.
23 Google objects to this Request for Admission to the extent it purports to include software created,
24 modified, and/or distributed by third parties and not Google. Google further objects to this
25 Request for Admission to the extent that it seeks information not within Google's possession,
26 custody or control. As described further in General Objection Number 15, Google further objects
27 to this Request for Admission as premature to the extent it seeks expert testimony.

28 Subject to and without waiving the foregoing objections and the General Objections, and

1 to the extent that this request is understood, Google denies this request.

2

3 **REQUEST FOR ADMISSION NO. 255:**

4 Admit that GOOGLE did not remove the SSO of the 37 JAVA API PACKAGES from
 5 any ANDROID VERSION that came before Gingerbread.

6 **RESPONSE TO REQUEST FOR ADMISSION NO. 255:**

7 In addition to its General Objections, Google objects to this Request for Admission as
 8 vague, ambiguous and overly broad as to the phrases “Google,” “remove,” “the SSO of the 37
 9 Java API Packages,” “any Android version that came before Gingerbread.” Google objects to
 10 this Request for Admission as overly broad, unduly burdensome, and not reasonably calculated to
 11 lead to the discovery of admissible evidence to the extent it seeks information not related to any
 12 party’s claims or defenses or any relevant subject matter at issue. Google also objects to this
 13 Request for Admission as unreasonably cumulative or duplicative to the extent that it seeks
 14 information that is more conveniently or less expensively obtained from another source or that is
 15 publicly available. Google objects to this Request for Admission to the extent it purports to
 16 include software created, modified, and/or distributed by third parties and not Google. Google
 17 further objects to this Request for Admission to the extent that it seeks information not within
 18 Google’s possession, custody or control. Google further objects to this Request for Admission as
 19 overbroad and compound, and therefore burdensome and harassing, in that it seeks a single
 20 response to what are in essence numerous and various separate queries.

21 Subject to and without waiving the foregoing objections and the General Objections, and
 22 to the extent that this request is understood, Google denies that any version of Android that came
 23 before Gingerbread contains the entire SSO of the 37 Java API Packages, but admits that Android
 24 versions that came before Gingerbread contained some, but not all, of the method headers that
 25 reflect the structure, sequence, and organization of the 37 Java API Packages, and that Google did
 26 not remove those method headers from Android versions that came before Gingerbread after
 27 those versions were released.

1 that it seeks information not within Google's possession, custody or control. As described further
2 in General Objection Number 15, Google further objects to this Request for Admission as
3 premature to the extent it seeks expert testimony.

4 Subject to and without waiving the foregoing objections and the General Objections, and
5 to the extent that this request is understood, Google denies this request.
6

7 **REQUEST FOR ADMISSION NO. 264:**

8 Admit Chrome OS replicates the SSO of the 37 JAVA API PACKAGES.

9 **RESPONSE TO REQUEST FOR ADMISSION NO. 264:**

10 In addition to its General Objections, Google objects to this Request for Admission as
11 vague, ambiguous and overly broad as to the phrases "Chrome OS," "replicates," "the SSO of the
12 37 Java API Packages." Google objects to this request because it is vague and unbounded as to
13 time. Google objects to this Request for Admission as overly broad, unduly burdensome, and not
14 reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks
15 information not related to any party's claims or defenses or any relevant subject matter at issue.
16 Google also objects to this Request for Admission as unreasonably cumulative or duplicative to
17 the extent that it seeks information that is more conveniently or less expensively obtained from
18 another source or that is publicly available. Google objects to this Request for Admission to the
19 extent it purports to include software created, modified, and/or distributed by third parties and not
20 Google. Google further objects to this Request for Admission to the extent that it seeks
21 information not within Google's possession, custody or control. As described further in General
22 Objection Number 15, Google further objects to this Request for Admission as premature to the
23 extent it seeks expert testimony.

24 Subject to and without waiving the foregoing objections and the General Objections, and
25 to the extent that this request is understood, Google denies this request.
26

27 **REQUEST FOR ADMISSION NO. 265:**

28 Admit that ANDROID source code would not compile without DECLARING CODE

1 Packages in Android before November 5, 2007.

2

3 **REQUEST FOR ADMISSION NO. 277:**

4 Admit that ANDROID source code was not available to the public until after
5 November 5, 2007.

6 **RESPONSE TO REQUEST FOR ADMISSION NO. 277:**

7 In addition to its General Objections, Google objects to this Request for Admission as
8 vague and ambiguous as to the phrases “Android,” “source code,” and “available to the public.”
9 Google objects to this request to the extent it assumes facts not in evidence. Google objects to
10 this Request for Admission as overly broad, unduly burdensome, and not reasonably calculated to
11 lead to the discovery of admissible evidence to the extent it seeks information not related to any
12 party’s claims or defenses or any relevant subject matter at issue. Google also objects to this
13 Request for Admission as unreasonably cumulative or duplicative to the extent that it seeks
14 information that is more conveniently or less expensively obtained from another source or that is
15 publicly available. Google objects to this Request for Admission to the extent it purports to
16 include software created, modified, and/or distributed by third parties and not Google. Google
17 further objects to this Request for Admission to the extent that it seeks information not within
18 Google’s possession, custody or control.

19 Subject to and without waiving the foregoing objections and the General Objections, and
20 to the extent that this request is understood, Google denies this request.

21

22 Dated: October 15, 2015

KEKER & VAN NEST LLP

23

24 By: /s/ Robert A. Van Nest
ROBERT A. VAN NEST
CHRISTA M. ANDERSON
DANIEL PURCELL

25

26

27 Attorneys for Defendant
GOOGLE INC.

28

1 PROOF OF SERVICE
2

3 I am employed in the City and County of San Francisco, State of California in the office of a
4 member of the bar of this court at whose direction the following service was made. I am over the
age of eighteen years and not a party to the within action. My business address is Keker & Van
Nest LLP, 633 Battery Street, San Francisco, CA 94111-1809.

5 On October 15, 2015, I served the following document(s):
6

7 **DEFENDANT GOOGLE INC.'S FIRST SUPPLEMENTAL RESPONSES AND
OBJECTIONS TO PLAINTIFF ORACLE AMERICA, INC.'S REQUESTS FOR
ADMISSION**

8 **SET TWO (NOS. 245-277)**
9

10 by **ELECTRONIC MAIL (PDF)**: Based on an agreement of the parties to accept service
11 by electronic mail, I caused a true and correct copy of the foregoing document(s) to be sent
12 to the person(s) at the electronic notification address(es) listed below. The email was
transmitted without error.

13 ORRICK, HERRINGTON & SUTCLIFFE LLP
14 Karen G. Johnson-Mckewan
Annette L. Hurst
15 Gabriel M. Ramsey
405 Howard Street
16 San Francisco, CA 94105
Tel: 415.773.5700 / Fax: 415.773.5759

17 Peter A. Bicks
18 Lisa T. Simpson
51 West 52nd Street
19 New York, NY 10019
Tel: 212.506.5000 / Fax: 212.506.5151

20 kjohnson-mckewan@orrick.com
ahurst@orrick.com
gramsey@orrick.com
pbicks@orrick.com
lsimpson@orrick.com
23

24 David Boies
25 Boies Schiller & Flexner LLP
333 Main Street
26 Armonk, NY 10504
Tel: 914.749.8201 / Fax: 914.749.8300
27 dboies@bsfllp.com

Attorneys for Plaintiff
ORACLE AMERICA, INC.
Oracle-Google@BSFLLP.com

28 Steven C. Holtzman

1 1999 Harrison St., Ste. 900
2 Oakland, CA 94612
3 Tel: 510.874.1000 / Fax: 510.874.1460
sholtzman@bsflp.com

4 ORACLE CORPORATION
5 Dorian Daley
Deborah K. Miller
Matthew M. Sarboraria
Ruchika Agrawal
6 500 Oracle Parkway,
Redwood City, CA 94065
7 Tel: 650.506.5200 / Fax: 650.506.7117

8 dorian.daley@oracle.com
9 deborah.miller@oracle.com
matthew.sarboraria@oracle.com
ruchika.agrawal@oracle.com

11 Executed on October 15, 2015, at San Francisco, California.

12 I declare under penalty of perjury under the laws of the State of California that the above is true
13 and correct.

14
15 /s/ *Edward A. Bayley*
16 Edward A. Bayley
17
18
19
20
21
22
23
24
25
26
27
28